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10 **UNITED STATES DISTRICT COURT**
EASTERN DISTRICT OF CALIFORNIA

11 SERGIO RAMIREZ-MARTINEZ, } Case No. 1:24-cv-00911-KES-BAM
12 Plaintiff, } STIPULATION AND ~~PROPOSED~~
13 } ORDER FOR EXTENSION OF
14 vs. } TIME
15 MARTIN O'MALLEY, Commissioner }
of Social Security¹, }
16 Defendant. }
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21 Pending the Court's approval, IT IS HEREBY STIPULATED, by and
22 between the parties through their respective counsel of record, with the Court's
23 approval, that Plaintiff shall have a 60-day extension of time, from November 6,
24 2024 to January 6, 2025, for Plaintiff to serve on defendant with PLAINTIFF'S

25
26 ¹ Martin O'Malley became the Commissioner of Social Security on December 20,
27 2023. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Martin
28 O'Malley should be substituted for Kilolo Kijakazi as the defendant in this suit. No
further action need be taken to continue this suit by reason of the last sentence of
section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

1 MOTION FOR SUMMARY JUDGMENT. All other dates in the Court's
2 Scheduling Order shall be extended accordingly.

3 This is Plaintiff's first request for an extension of time. Plaintiff respectfully
4 states that the requested extension is necessary due several merit briefs being due
5 on the same week. For the weeks of November 4, 2024 and November 11, 2024
6 Plaintiff's Counsel has nine merit briefs due. Counsel requires additional time to
7 brief the issues thoroughly for the Court's consideration. Defendant does not
8 oppose the requested extension. Counsel apologizes to the Defendant and Court
9 for any inconvenience this may cause.

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11 Respectfully submitted,

12 Dated: November 5, 2024 PENA & BROMBERG, ATTORNEYS AT LAW
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14 By: /s/ Jonathan Omar Pena
15 JONATHAN OMAR PENA
16 Attorneys for Plaintiff

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18 Dated: November 5, 2024 PHILLIP A. TALBERT
19 United States Attorney
20 MATHEW W. PILE
21 Associate General Counsel
22 Office of Program Litigation
23 Social Security Administration

24 By: */s/ Franco L. Bacia
25 Franco L. Bacia
26 Special Assistant United States Attorney
27 Attorneys for Defendant
28 (*As authorized by email on November 4, 2024)

ORDER

Pursuant to the parties' stipulation, and cause appearing, Plaintiff is granted an extension of time to January 6, 2025, to file a Motion for Summary Judgment. All other deadlines in the Court's Scheduling Order are modified accordingly. The parties are advised that further extensions of time will not be granted absent a demonstrated showing of good cause.

IT IS SO ORDERED.

Dated: **November 6, 2024**

/s/ Barbara A. McAuliffe

UNITED STATES MAGISTRATE JUDGE